

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

UNITED STATES OF AMERICA)	
)	
)	NO. 2:19-cr-00010
v.)	
)	JUDGE CAMPBELL
GILBERT GHEARING)	

VERDICT FORM

1. With respect to the charge in Count One of the Superseding Indictment (health care fraud),
we find the Defendant :

_____ Not Guilty

_____ ☒ Guilty

2. With respect to the charge in Count Two of the Superseding Indictment (health care fraud),
we find the Defendant :

_____ Not Guilty

_____ ☒ Guilty

3. With respect to the charge in Count Three of the Superseding Indictment (health care fraud),
we find the Defendant :

_____ Not Guilty

_____ ☒ Guilty

4. With respect to the charge in Count Four of the Superseding Indictment (health care fraud),
we find the Defendant Gilbert Ghearing:

_____ Not Guilty

_____ ☒ Guilty

5. With respect to the charge in Count Five of the Superseding Indictment (health care fraud),
we find the Defendant:

_____ Not Guilty

✓ Guilty

6. With respect to the charge in Count Six of the Superseding Indictment (health care fraud),
we find the Defendant:

_____ Not Guilty

✓ Guilty

7. With respect to the charge in Count Seven of the Superseding Indictment (health care fraud),
we find the Defendant:

✓ Not Guilty

_____ Guilty

8. With respect to the charge in Count Eight of the Superseding Indictment (health care fraud),
we find the Defendant:

✓ Not Guilty

_____ Guilty

9. With respect to the charge in Count Nine of the Superseding Indictment (health care fraud),
we find the Defendant:

_____ Not Guilty

✓ Guilty

10. With respect to the charge in Count Ten of the Superseding Indictment (health care fraud),
we find the Defendant:

_____ Not Guilty

✓ Guilty

11. With respect to the charge in Count Eleven of the Superseding Indictment (health care fraud), we find the Defendant:

☒ Not Guilty

☐ Guilty

12. With respect to the charge in Count Twelve of the Superseding Indictment (health care fraud), we find the Defendant:

☐ Not Guilty

☒ Guilty

13. With respect to the charge in Count Thirteen of the Superseding Indictment (health care fraud), we find the Defendant:

☐ Not Guilty

☒ Guilty

14. With respect to the charge in Count Fourteen of the Superseding Indictment (health care fraud), we find the Defendant:

☐ Not Guilty

☒ Guilty

15. With respect to the charge in Count Fifteen of the Superseding Indictment (health care fraud), we find the Defendant:

☒ Not Guilty

☐ Guilty

16. With respect to the charge in Count Sixteen of the Superseding Indictment (health care fraud), we find the Defendant:

☒ Not Guilty

☐ Guilty

17. With respect to the charge in Count Seventeen of the Superseding Indictment (health care fraud), we find the Defendant:

_____ Not Guilty

☒ Guilty

18. With respect to the charge in Count Eighteen of the Superseding Indictment (health care fraud), we find the Defendant:

_____ Not Guilty

☒ Guilty

19. With respect to the charge in Count Nineteen of the Superseding Indictment (health care fraud), we find the Defendant:

_____ Not Guilty

☒ Guilty

20. With respect to the charge in Count Twenty of the Superseding Indictment (health care fraud), we find the Defendant:

_____ Not Guilty

☒ Guilty

21. With respect to the charge in Count Twenty-One of the Superseding Indictment (health care fraud), we find the Defendant:

_____ Not Guilty

☒ Guilty

22. With respect to the charge in Count Twenty-Two of the Superseding Indictment (health care fraud), we find the Defendant:

_____ Not Guilty

☒ Guilty

23. With respect to the charge in Count Twenty-Three of the Superseding Indictment (health care fraud), we find the Defendant:

_____ Not Guilty

☒ Guilty

24. With respect to the charge in Count Twenty-Four of the Superseding Indictment (health care fraud), we find the Defendant:

_____ Not Guilty

☒ Guilty

25. With respect to the charge in Count Twenty-Five of the Superseding Indictment (health care fraud), we find the Defendant:

_____ Not Guilty

☒ Guilty

26. With respect to the charge in Count Twenty-Six of the Superseding Indictment (health care fraud), we find the Defendant:

_____ Not Guilty

☒ Guilty

27. With respect to the charge in Count Twenty-Seven of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

_____ Not Guilty

☒ Guilty

If you found the Defendant "Not Guilty" of the charge in Count Twenty-Seven, do not answer Question 27a or 27b and proceed to Question 28. If you found the Defendant "Guilty" of the charge in Count Twenty-Seven, you must indicate which of the controlled substances listed in Count Twenty-Seven you have determined were unlawfully distributed. Your decision regarding the specific controlled substances must be unanimous.

27a. As to Carisoprodol (Soma) Schedule IV

_____ Not Guilty

☒ Guilty

27b. As to Alprazolam (Xanax) Schedule IV

_____ Not Guilty

☒ Guilty

28. With respect to the charge in Count Twenty-Eight of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

_____ Not Guilty

☒ Guilty

If you found the Defendant "Not Guilty" of the charge in Count Twenty-Eight, do not answer Question 28a or 28b and proceed to Question 29. If you found the Defendant "Guilty" of the charge in Count Twenty-Eight, you must indicate which of the controlled substances listed in Count Twenty-Eight you have determined were unlawfully distributed. Your decision regarding the specific controlled substances must be unanimous.

28a. As to Oxycodone Schedule II

_____ Not Guilty

☒ Guilty

28b. As to Carisoprodol (Soma) Schedule IV

_____ Not Guilty

☒ Guilty

29. With respect to the charge in Count Twenty-Nine of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

_____ Not Guilty

☒ Guilty

30. With respect to the charge in Count Thirty of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

_____ Not Guilty

☒ Guilty

31. With respect to the charge in Count Thirty-One of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

_____ Not Guilty

☒ Guilty

32. With respect to the charge in Count Thirty-Two of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

_____ Not Guilty

☒ Guilty

33. With respect to the charge in Count Thirty-Three of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

_____ Not Guilty

☒ Guilty

34. With respect to the charge in Count Thirty-Four of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty

_____ Guilty

35. With respect to the charge in Count Thirty-Five of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☐ Not Guilty

☒ Guilty

36. With respect to the charge in Count Thirty-Six of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty

☐ Guilty

37. With respect to the charge in Count Thirty-Seven of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty

☐ Guilty

38. With respect to the charge in Count Thirty-Eight of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty

☐ Guilty

39. With respect to the charge in Count Thirty-Nine of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty

☐ Guilty

40. With respect to the charge in Count Forty of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty

☐ Guilty

41. With respect to the charge in Count Forty-One of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty ☐ Guilty

42. With respect to the charge in Count Forty-Two of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty ☐ Guilty

If you found the Defendant "Not Guilty" of the charge in Count Forty-Two, do not answer Question 42a or 42b and proceed to Question 43. If you found the Defendant "Guilty" of the charge in Count Forty-Two, you must indicate which of the controlled substances listed in Count Forty-Two you have determined were unlawfully distributed. Your decision regarding the specific controlled substances must be unanimous.

42a. As to Clonazepam (Klonopin) Schedule IV

☐ Not Guilty ☐ Guilty

42b. As to Oxycodone-Acetaminophen (Percocet) Schedule II

☐ Not Guilty ☐ Guilty

43. With respect to the charge in Count Forty-Three of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☐ Not Guilty ☒ Guilty

44. With respect to the charge in Count Forty-Four of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty ☐ Guilty

45. With respect to the charge in Count Forty-Five of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☐ Not Guilty

☒ Guilty

If you found the Defendant "Not Guilty" of the charge in Count Forty-Five, do not answer Question 45a or 45b and proceed to Question 46. If you found the Defendant "Guilty" of the charge in Count Forty-Five, you must indicate which of the controlled substances listed in Count Forty-Five you have determined were unlawfully distributed. Your decision regarding the specific controlled substances must be unanimous.

45a. As to Clonazepam (Klonopin) Schedule IV

☒ Not Guilty

☐ Guilty

45b. As to Carisoprodol (Soma) Schedule IV

☐ Not Guilty

☒ Guilty

46. With respect to the charge in Count Forty-Six of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☐ Not Guilty

☒ Guilty

If you found the Defendant "Not Guilty" of the charge in Count Forty-Six, do not answer Question 46a, 46b, or 46c and proceed to consider Question 47. If you found the Defendant "Guilty" of the charge in Count Forty-Six, you must indicate which of the controlled substances listed in Count Forty-Six you have determined were unlawfully distributed. Your decision regarding the specific controlled substances must be unanimous.

46a. As to Clonazepam (Klonopin) Schedule IV

☒ Not Guilty

☐ Guilty

46b. As to Carisoprodol (Soma) Schedule IV

☐ Not Guilty

☒ Guilty

46c. As to Oxycodone-Acetaminophen (Percocet) Schedule II

☒ Not Guilty

☐ Guilty

47. With respect to the charge in Count Forty-Seven of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty ☐ Guilty

If you found the Defendant "Not Guilty" of the charge in Count Forty-Seven, do not answer Question 47a, 47b, or 47c and proceed to Question 48. If you found the Defendant "Guilty" of the charge in Count Forty-Seven, you must indicate which of the controlled substances listed in Count Forty-Seven you have determined were unlawfully distributed. Your decision regarding the specific controlled substances must be unanimous.

47a. As to Clonazepam (Klonopin) Schedule IV

☐ Not Guilty ☐ Guilty

47b. As to Carisoprodol (Soma) Schedule IV

☐ Not Guilty ☐ Guilty

47c. As to Oxycodone-Acetaminophen (Percocet) Schedule II

☐ Not Guilty ☐ Guilty

48. With respect to the charge in Count Forty-Eight of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☐ Not Guilty ☒ Guilty

49. With respect to the charge in Count Forty-Nine of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty ☐ Guilty

If you found the Defendant "Not Guilty" of the charge in Count Forty-Nine, do not answer Question 49a or 49b and proceed to Question 50. If you found the Defendant "Guilty" of the charge in Count Forty-Nine, you must indicate which of the controlled substances listed in Count Forty-Nine you have determined were unlawfully distributed. Your decision regarding the specific controlled substances must be unanimous.

49a. As to Clonazepam (Klonopin) Schedule IV

☐ Not Guilty ☐ Guilty

49b. As to Carisoprodol (Soma) Schedule IV

☐ Not Guilty ☐ Guilty

50. With respect to the charge in Count Fifty of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☐ Not Guilty ☒ Guilty

51. With respect to the charge in Count Fifty-One of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

_____ Not Guilty

☒ Guilty

If you found the Defendant "Not Guilty" of the charge in Count Fifty-One, do not answer Question 51a or 51b and proceed to consider Question 52. If you found the Defendant "Guilty" of the charge in Count Fifty-One, you must indicate which of the controlled substances listed in Count Fifty-One you have determined were unlawfully distributed. Your decision regarding the specific controlled substances must be unanimous.

51a. As to Alprazolam (Xanax) Schedule IV

_____ Not Guilty

☒ Guilty

51b. As to Oxycodone-Acetaminophen (Percocet) Schedule II

_____ Not Guilty

☒ Guilty

52. With respect to the charge in Count Fifty-Two of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

_____ Not Guilty

☒ Guilty

If you found the Defendant "Not Guilty" of the charge in Count Fifty-Two, do not answer Question 52a or 52b and proceed to consider Question 53. If you found the Defendant "Guilty" of the charge in Count Fifty-Two, you must indicate which of the controlled substances listed in Count Fifty-Two you have determined were unlawfully distributed. Your decision regarding the specific controlled substances must be unanimous.

52a. As to Alprazolam (Xanax) Schedule IV

☒ Not Guilty

_____ Guilty

52b. As to Oxycodone-Acetaminophen (Percocet) Schedule II

_____ Not Guilty

☒ Guilty

53. With respect to the charge in Count Fifty-Three of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☐ Not Guilty

☒ Guilty

54. With respect to the charge in Count Fifty-Four of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☐ Not Guilty

☒ Guilty

55. With respect to the charge in Count Fifty-Five of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☐ Not Guilty

☒ Guilty

56. With respect to the charge in Count Fifty-Six of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty

☐ Guilty

57. With respect to the charge in Count Fifty-Seven of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☐ Not Guilty

☒ Guilty

58. With respect to the charge in Count Fifty-Eight of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☐ Not Guilty

☒ Guilty

59. With respect to the charge in Count Fifty-Nine of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

_____ Not Guilty

☒ Guilty

60. With respect to the charge in Count Sixty of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

☒ Not Guilty

_____ Guilty

61. With respect to the charge in Count Sixty-One of the Superseding Indictment (unlawful distribution of a controlled substances), we find the Defendant:

_____ Not Guilty

☒ Guilty

If you found the Defendant "Not Guilty" of the charge in Count Sixty-One, do not answer Question 61a or 61b and proceed to consider Question 62. If you found the Defendant "Guilty" of the charge in Count Sixty-One, you must indicate which of the controlled substances listed in Count Sixty-One you have determined were unlawfully distributed. Your decision regarding the specific controlled substances must be unanimous.

61a. As to Oxycodone-Acetaminophen (Percocet) Schedule II

☒ Not Guilty

_____ Guilty

61b. As to Alprazolam (Xanax) Schedule IV

_____ Not Guilty

☒ Guilty

62. With respect to the charge in Count Sixty-Two of the Superseding Indictment (obstruction of justice), we find the Defendant:

_____ Not Guilty

☒ Guilty

63. With respect to the charge in Count Sixty-Three of the Superseding Indictment (alteration, falsification, or making a false entry in a record or document in federal investigations), we find the Defendant:

_____ Not Guilty

☒ Guilty

FORÉPERSON

3-28-2023

DATE